

PROVO RIVER DISTRIBUTION SYSTEM

MINUTES OF ANNUAL MEETING OF BOARD OF DIRECTORS

January 11, 1967

Pursuant to the Articles of Association, as amended by the Provo River Distribution System, and due notice having been given to all members, the Board of Directors of the Provo River Distribution System convened at 10:00 A. M. on January 11, 1967, in Room 200 of the Utah County Court House, Provo, Utah.

Chairman Niels Andersen presided.

On roll call the following Board Members were present:

J. Edwin Ure	Group 1	Kanab Valley canals
Sherman A. Giles	" 2	Upper Provo, East Heber Valley
Floyd Bonner (Vice Chairman)	" 3	Upper Provo, West Heber Valley
Glen A. Wright	" 4	Provo City canals
Stanley H. Roberts	" 5	East Provo canals
Niels Andersen, Chairman	" 6	Provo Bench canals
Elmer A. Seal	" 7	Provo Reservoir Water Users Co.
Jack M. Gardner	" 8	Provo River Water Users Assn.
Ernest Knight	" 9	Upper Provo individual rights

Also present were:

Wallace R. Wayman	Provo River Commissioner
Roy H. Gappmayer	Orem City
V. Emil Hanson	Metropolitan Water District of Orem
Elmer J. Taylor	Utah Power & Light Company
J. G. Haight	Utah Power & Light Company
Craig Wayman	West Mountain
Henry Stewart	

CORRECTIONS AND ADOPTION OF MINUTES.

At the request of the Chairman, Secretary Gardner briefly read the Minutes of the Annual Meeting held January 13, 1966; whereupon Director Giles called attention to the designation of the Midway Irrigation Company weir, and advised that this should read the "Midway bridge weir".

Secretary Gardner stated that the correction would be made accordingly in the official Minute Book and also pointed out that the index required two corrections:

1. The election of the Secretary-Treasurer, Page 1, should show "Resolution (62)".
2. The budget for 1966, " 3, " " " "Resolution (63)".

Secretary Gardner said these corrections would be made accordingly in the official Minute Book.

Director Giles then moved that the Minutes, as corrected, be adopted. The motion was seconded by Chairman Anderson and carried with all present voting "aye".

ELECTION OF OFFICERS FOR 1967.

Chairman Andersen then stated that the next order of business was to nominate and elect the officers to serve during 1967; whereupon Director Ure moved adoption of the following resolution:

(69) RESOLVED That Niels Andersen, Floyd Bonner and Jack Gardner be re-elected Chairman, Vice Chairman and Secretary-Treasurer respectively, all to serve for the following one-year term of office.

The motion was seconded by Director Roberts and adopted with all present voting "aye". The officers as aforesaid thereupon assumed their duties.

Chairman Anderson asked that the Minutes show that no changes have occurred in Board membership in the past year.

BUDGET & ASSESSMENT, 1967.

Chairman Andersen requested the Secretary to go over the Financial Statement as submitted by the State Engineer covering the year 1966. Secretary Gardner briefly reviewed the 1966 budget noting that \$15,116.12 was budgeted and that \$14,818.65 was the actual total expenditures, the decrease being primarily in the Commissioner's expenditures, committee expenses and the contractual services which were not used. It was noted that the total delinquent assessments for the year was \$192.22, also that the balance of the Distribution Fund ending December 31, 1966, was \$6,511.95. Approximately \$1,100 had been used to make up the difference between the 1966 assessment of \$13,700 to the total 1966 expenditures of \$14,818.65. The setting of the budget for 1967 was discussed and it was pointed out that there had been an additional increase in Social Security which would affect the budget, however, since any additional expenditure could be made up out of the balance of the Distribution Fund of \$6,511.95, that the same budget as for the year 1966 could be adopted for 1967. Thereupon Director Bonner moved adoption of the following Resolution:

(70) RESOLVED That the Financial Statement be accepted and that the budget for 1967 be set at the same figure as 1966 of \$15,166.12 and that the assessment for 1966 be also set at \$13,700. The motion was seconded by Director Seal and adopted with all present voting "aye".

COMMISSIONER'S ANNUAL REPORT.

Commissioner Wayman then was asked by the Chairman to briefly discuss his Annual Report. Commissioner Wayman advised that he had not yet completed the 1966 report and records, that he had prepared a foreword and would give his report from it. Commissioner Wayman then reported on the following items from this foreword.

"Regulation was again necessary on South Fork, Utah County and Deer Creek stream, Wasatch County to attempt to hold these users to the same duty required of other Class "A" users below Deer Creek Reservoir.

Due to questionable water right ownership, coupled with change in land titles to which the water rights were appurtenant, also some sales and purchases of water rights; the designated responsible staff members of the State Engineer's Office have promised and committed themselves to a judication of the waters of South Fork before another irrigation season is upon us. Maps and other recorded documents are being assembled for this purpose.

It was apparent some users on Deer Creek stream, Wasatch County, entering Provo River below Deer Creek Reservoir were attempting to handle regulation on that stream on their own, for on two occasions water was diverted into the Hoover ditch in violation of a turn system arrangement after regulation and notice had been given by the Water Commissioner. These violations have been reported to the State Engineer's Office in writing. It was determined that in excess of \$280 worth of water was diverted in violation of regulations at present storage rentals.

Riverside Country Club water rights as ruled on by State Engineer Memorandum Decisions dated July 22nd, 1966 as a result of a hearing held February 15, 1966 regarding Change Application #a 4696 and Exchange Application #173 have now found themselves in the hands of the District Courts by protestants exercising the provisions of Section 73-3-14, Utah Laws.

With reference to acquisition and installation of Measuring Device Recorders for River above Vivian Park and South Fork at Vivian Park, all parties concerned are hereby advised that these used recorders formerly used at these stations are now in the ownership of the River Distribution System by purchase.

The recorder for the River above Vivian Park is now in storage by State Engineer's Office and the one for use on South Fork has been placed in the hands of Provo City Engineer for safe keeping and installation on South Fork as soon as Provo City makes necessary repairs and improvements to South Fork channel near installation site for which they are now committed."

Following the report, a discussion was had of various of the items covered in the report. Director Roberts brought up the question of loss of return flow due to Provo City's diversions of the water of South Fork into its culinary system. Director Seal advised Mr. Roberts that head-of-the-River storage and Deer Creek storage water which the City owns is released into the Provo River and delivered at the confluence of the South Fork and Provo River in exchange for South Fork water that is diverted into this City's mains so there is no return flow loss. Mr. Taylor of Utah Power and Light Company also confirmed this exchange system to Director Roberts.

Director Seal asked if the measuring device is now installed on South Fork to determine the exchange and Commissioner Wayman advised that the device has not been installed as the City has not yet made the channel improvement.

Director Bonner discussed the item of adjudication of South Fork and Commissioner Wayman explained that a 40-acre-foot duty is used for the users in South Fork, such as the Girl Scouts, Ercanbracks, Giles and others until such time as the adjudication is completed.

Emil Hansen then discussed the problem with the Kogianes' water purchase and stated that the Metropolitan Water District of Orem had billed him for \$250 for 50 acre feet of Deer Creek water and that they had not been paid. Secretary Gardner asked if the water had actually been released to make up for the water taken in excess of the Kogianes' rights? Mr. Hansen advised that he did not know. Secretary Gardner then stated that this would seem to be the crux of the problem and that if the water had not been released that might be the reason the bill had not been paid and that this should be checked. Chairman Andersen stated that this problem should be discussed with the State Engineer the following day.

Chairman Andersen then discussed the Central Utah Project and its effect on the River and in general stated that the construction of the Jordanelle Reservoir under the Central Utah Project would benefit everyone in the same manner as the Deer Creek Reservoir has done; that the individuals and companies having rights on the River should continue to be diligent in protecting their water rights but that the Central Utah Project should not be detrimental to these existing rights.

NOMINATION OF COMMISSIONER AND DEPUTY COMMISSIONER.

Chairman Andersen then asked for nominations of Commissioner and Deputy Commissioner to recommend for appointment by the State Engineer for Commissioner and Deputy Commissioner on the Provo River for one year beginning in April, 1966. Thereupon, Mr. Wright moved adoption of the following resolution:

(71) RESOLVED That W. R. Wayman shall be and is hereby nominated for appointment by the State Engineer as the Provo River Commissioner to serve for the yearly term beginning in April 1967. The motion was seconded by Director Knight and adopted unanimously.

Chairman Andersen asked Mr. Wayman to advise of whom he would recommend for Deputy Commissioner and Mr. Wayman stated that he would recommend Sherman Giles as Deputy Commissioner. Thereupon Director Knight moved adoption of the following resolution:

(72) RESOLVED That Sherman Giles shall be and is hereby nominated for appointment by the State Engineer as the Provo River Deputy Commissioner to serve for the yearly term beginning in April, 1967. The motion was seconded by Director Bonner and adopted unanimously.

MEETING WITH THE STATE ENGINEER SET.

Chairman Andersen called attention to the following letter dated December 30, 1966:

"TO WATER USERS OF THE PROVO RIVER DISTRIBUTION SYSTEM:

Notice is hereby given that in compliance with Title 73, Chapter 5, Utah Code Annotated 1953, a meeting of water users of the Provo River Distribution System and representatives of the State Engineer's Office will be held Thursday, January 12, 1967 at 10:00 A. M. in the County Courthouse, Provo, Utah, for the purpose of:

1. Hearing the financial report for 1966.
2. Hearing the 1966 commissioner's report.
3. Preparing a budget of salaries and other necessary expenses of the Provo River Distribution System.
4. Making recommendations to the State Engineer relative to the appointment of a water commissioner for the 1967 season.
5. Transacting such other business as may properly come before the meeting.

We hope that the water users or representatives will attend in order that they be properly represented.

Yours very truly,

SS/ HUBERT C. LAMBERT
State Engineer. "

Chairman Andersen requested all members of the Board to attend this meeting in view of its importance to the System's operations.

ADJOURNMENT.

There being no further business, the meeting adjourned subject to call by the Chairman. The time was 12 noon.


Jack M. Gardner, Secretary.